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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

AARON WADE FERGUSON,

Defendant.

Case No. 2:20-mj-56-VCF

ORDER
Stipulation to Continue Preliminary Hearing

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Rebecca Levy, Assistant Federal Public Defender, counsel for Aaron Wade Ferguson, that the preliminary hearing currently scheduled February 24, 2020, be vacated and set to a date and time convenient for this court but no earlier than thirty (30) days.

The Stipulation is entered into for the following reasons:

1. The additional time requested herein is sought to permit defendant time to review discovery and conduct investigation in this case in order to determine whether there are any issues that must be litigated prior to the case proceeding to preliminary hearing or otherwise.

2. The defendant is incarcerated and does not object to the continuance.

1 3. The parties agree to the continuance.

2 4. The additional time requested herein is not sought for purposes of delay, but merely
3 to allow counsel for the defendant sufficient time within which to be able to effective and complete
4 investigation of the discovery materials that will be provided by the government.

5 5. Denial of this request for continuance would waste limited judicial resources.

6 Additionally, denial of this request for continuance could result in a miscarriage of
7 justice. The additional time requested by this stipulation is excludable in computing the time
8 within which the preliminary hearing herein must commence pursuant to the Federal Rules of
9 Criminal Procedure 5.1(d), and the Speedy Trial Act, § 3161(h)(7)(A), considering the factors
10 under Title 18, United States Code §§ 3161(h)(7)(B)(i) and (iv).

11 6. This is the First Stipulation to continue the preliminary hearing filed herein.

12
13 DATED: February 20, 2020

14
15 RENE L. VALLADARES
16 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

17 */s/ Rebecca Levy*

/s/ Bianca R. Pucci

18 By _____

By _____

19 REBECCA LEVY
20 Assistant Federal Public Defender
Attorney for Aaron Wade Ferguson

BIANCA R. PUCCI
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 VS.

6 AARON WADE FERGUSON,

7 Defendant.

Case No. 2:20-mj-56-VCF

Order

8 **FINDINGS OF FACT**

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court
10 finds that:

11 1. The additional time requested herein is sought to permit defendant time to review
12 discovery and conduct investigation in this case in order to determine whether there are any issues
13 that must be litigated prior to the case proceeding to preliminary hearing or otherwise.

14 2. The defendant is incarcerated and does not object to the continuance.

15 3. The parties agree to the continuance.

16 4. The additional time requested herein is not sought for purposes of delay, but merely
17 to allow counsel for the defendant sufficient time within which to be able to effective and complete
18 investigation of the discovery materials that will be provided by the government.

19 5. Denial of this request for continuance would waste limited judicial resources.
20 Additionally, denial of this request for continuance could result in a miscarriage of justice. The
21 additional time requested by this stipulation is excludable in computing the time within which the
22 preliminary hearing herein must commence pursuant to the Federal Rules of Criminal Procedure
23 5.1(d), and the Speedy Trial Act, § 3161(h)(7)(A), considering the factors under Title 18, United
24 States Code §§ 3161(h)(7)(B)(i) and (iv).

6. This is the First Stipulation to continue the preliminary hearing filed herein.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice.

The continuance sought herein is excusable under the Federal Rules of Criminal Procedure 5.1(d), and the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing is continued to March 31, 2020. at 4:00pm in Courtroom 3D.

DATED this 21st day of February 2020.



UNITES STATES MAGISTRATE JUDGE

CAM FERENBACH
U.S. MAGISTRATE JUDGE